

APPENDIX

Sent to Governor
(April 2, 1981)

S.B. 605
S.B. 530
S.B. 48
S.C.R. 80

Signed by Governor
(April 1, 1981)

S.B. 49	Effective immediately
S.B. 196	Effective January 1, 1982
S.B. 480	Effective immediately
H.B. 4	Effective May 1, 1981
H.B. 1432	Effective immediately

FORTY-EIGHTH DAY
(Monday, April 6, 1981)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Uribe, Vale, Williams.

Absent-excused: Mengden, Wilson.

A quorum was announced present.

Pastor Willie L. Bartee, Friendship Baptist Church, Austin, offered the invocation as follows:

Let us pray. Almighty God and everlasting Father, Thou who dost govern both Heaven and Earth, we come to Thee with grateful hearts, thankful for Thy bounty which has sustained us, Thy love which has redeemed us. And, Dear Master, we come to Thee. And I do come this morning, Master, we are so thankful that Thou hast spared us to see another day, one in whom we have never seen before and one particularly that we will never see again.

Then, Master, as we come we pray that Thou will bless the Senate, bless Senator Doggett, and everyone involved, Representatives and all. Bless them, Master, and give them that wisdom where they may be able to make the right decision as they move forward.

Then, Master, we pray that Thou will bless the governor of this beautiful state. Give him that same wisdom, that same knowledge and understanding.

Oh, Master, this morning we pray that Thou will bless the President of the United States who was wounded the other day, realizing, Master, that Thou can heal all wounds, even the wound of the soul.

Then, Master, as we humbly come we pray that Thou will not let us forget Psalmist that said "Father, I'll stretch my hand to Thee. If Thee withdraw Thyself from me, Lord, whether shall we go?"

And, oh Master, this morning I pray that You will continue to go with us all this day and every day. In Jesus' name, we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 2, 1981, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Mengden was granted leave of absence for today on account of illness on motion of Senator Leedom.

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Meier.

MESSAGE FROM THE HOUSE

House Chamber
April 6, 1981

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 162, Relating to the prior conviction of a person charged with the subsequent offense of driving while intoxicated. (With amendment)

S.B. 540, Relating to real estate brokers and salesmen amending The Texas Mobile Home Standards Act.

S.B. 396, Relating to the practice of certain regulated professions by persons convicted of certain drug-related offenses.

S.B. 272, Relating to the approval of the bonds of county depositories.

S.B. 325, Relating to building a training facility for firemen with County bond funds. (With amendment)

S.B. 240, Relating to employment benefits for state employees working outside this state. (With amendment)

S.B. 713, Providing for reserve deputy sheriffs in any county bordering the Gulf of Mexico to be organized for the purposes of marine safety and lifeguard functions.

S.B. 489, Relating to payments to hospital districts for the care of crippled children.

H.C.R. 130, Expressing wishes for recovery to President Reagan and other victims of assassination attempt.

The House has granted the request of the Senate for the appointment of a conference committee on **S.B. 767**.

House Conferees: Davis, Chairman; Evans, McFarland, Lewis, Messer.

S.B. 22, Relating to the number of peace officers a navigation district may appoint.

S.B. 110, Relating to student fees for a university center at Texas Tech University.

S.B. 154, Relating to the purchase or lease of real property and personal property by community centers.

S.B. 182, Relating to the creation of a juvenile board in each of the counties of Brewster, Crockett, Jeff Davis, Pecos, Presidio, Reagan, Sutton, and Upton.

S.B. 201, Relating to compensation of members of the board of directors of the Canadian River Municipal Water Authority.

S.B. 225, Relating to student fees for bus service at Southwest Texas State University. (With amendment)

S.B. 271, Relating to a uniform system of accounting for, and quarterly reports from, counties, hospital districts, and certain cities participating in welfare assistance programs. (With amendment)

S.B. 250, Relating to license requirements for bait dealers.

S.B. 331, Relating to administration, coverage, and taxation under college and university employees health insurance. (With amendment)

S.B. 467, Relating to acceptance by the Board of Regents of West Texas State University of a building to be donated for museum purposes.

S.B. 548, Relating to the Sabine Pass Port Authority.

S.B. 585, Permitting a municipality to keep certain accounts and records on other than cash basis to the extent permitted or required by generally accepted accounting principles.

S.B. 609, Relating to the refunding of certain bonds and other obligations of cities, towns, and villages.

S.B. 741, Relating to the administration, powers, and elections of the San Antonio River Authority. (With amendments)

S.B. 243, AN ACT relating to the sale of aviation fuel by aviation fuel dealers.

S.B. 339, Relating to the requirement of personal injury protection coverage with certain liability insurance policies. (With amendment)

S.B. 73, Relating to surplus water diverted by Maverick County Water Control and Improvement District No. One. (With amendments)

S.B. 108, Relating to repeal of the Rayburn Municipal Utility District.

H.B. 286, Relating to the directors, financing, and fiscal year of the Maverick County Hospital District.

H.B. 480, Relating to the compensation of the judges of the district courts in Orange County.

H.B. 481, Relating to the compensation and duties of the Orange County Juvenile Board, making provisions for the juvenile court and the Orange County Child Support Office, and providing for certain services relating to children.

H.B. 873, Relating to changing the name of Nueces County Navigation District No. 1 and its governing board and governing board members.

H.B. 683, Relating to the conveyance of certain state-owned land by the Texas Board of Corrections for use by the Brazoria County Airport in exchange for certain other land.

H.B. 965, Relating to the creation, administration, powers, duties, operations, and finances of the Winnsboro-Quitman Water District.

H.B. 1311, Relating to the creation, administration, powers, duties, operations, functions, and financing of the La Porte Area Water Authority.

H.B. 1397, Relating to the creation, establishment, administration, maintenance, operation, and financing of the Goliad County Hospital District.

H.B. 1402, Relating to the dissolution of the Clear Creek Basin Authority.

H.B. 1549, Relating to expansion of the Red River Authority and its governing board.

H.B. 373, Relating to the directors and taxes of the Titus County Hospital District.

H.B. 117, Relating to the authority of a winery permittee to serve free wine at the winery.

H.B. 200, Relating to underground water rights of the Greenbelt Municipal and Industrial Water Authority.

H.B. 270, Relating to validation of certain local elections.

H.B. 271, Relating to validation of municipal consolidations and the governmental acts and proceedings of the consolidated municipalities.

H.B. 324, Relating to lifetime workers' compensation benefits for certain injuries resulting in total and permanent incapacity.

H.B. 388, Relating to inspection requirements for commercial motor vehicles with temporary permits for highway operation.

H.B. 399, Relating to publication of school district annual financial statements.

H.B. 448, Relating to filing leases of commercial motor vehicles and truck-tractors with the state.

H.B. 560, Relating to special elections to fill vacancies in the office of school trustee in certain school districts.

H.B. 641, Relating to the venue to prosecute an offense committed on the premises of an airport operated jointly by two municipalities and situated in two counties.

H.B. 685, Relating to service of citation on nonresidents for property tax purposes.

H.B. 742, Relating to naming a state office building in memory of G. J. Sutton.

H.B. 801, Relating to county regulation of the keeping of wild animals near public schools.

H.B. 803, Relating to the expenditure of proceeds of airport revenue bonds by joint boards created by two cities for furniture, fixtures and equipment at airports operated by such joint board without the necessity of competitive bidding.

H.B. 857, Relating to the assignment of certain insurance agent's commissions.

H.B. 858, Relating to pecuniary interests of officers and directors of insurance companies in certain transactions.

H.B. 859, Relating to exclusion of reinsurance reserve assets from the Asset Protection Act.

H.B. 878, Relating to the offense of failing to compel a child to attend school.

H.B. 931, Relating to width requirements of certain vehicles used to haul agricultural products.

H.B. 939, Relating to authority to establish a foreign-trade zone in Del Rio.

H.B. 940, Relating to certification fee to be charged by the Chairman of the State Highway and Public Transportation Commission in connection with service of process on nonresident defendants.

H.B. 941, Relating to licensing and regulation of agents of county mutual insurance companies.

H.B. 1003, Relating to the disposition of certain unclaimed funds held by county or precinct officers.

H.B. 1022, Relating to criminal law enforcement within Federal Job Corps centers located in certain counties.

H.B. 1177, Relating to registration of public retirement systems.

H.B. 1278, Relating to the composition of the Texas Energy and Natural Resources Advisory Council.

H.B. 1316, Relating to bringing the Water Code and related water statutes into conformity with the reorganization of the state water-related agencies.

H.B. 1409, Relating to authority to establish a foreign-trade zone in Eagle Pass.

H.B. 1499, Relating to state response to an energy emergency.

H.B. 1589, Relating to the acquisition of a public interest in a private road.

H.B. 1955, Relating to savings departments of state banks.

H.B. 1957, Relating to federal reserve membership of state banks.

H.B. 2149, Relating to approval by the Texas Water Commission of issuance of bonds by certain districts.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORT OF STANDING COMMITTEE

Senator Harris submitted the following report for the Committee on Economic Development:

C.S.S.B. 1055 (Read first time)

MOTION IN WRITING

April 6, 1981

MR. PRESIDENT:

I ask unanimous consent that Senators Sarpalius, Snelson, Richards and Andujar be removed as Co-authors to **S.B. 1032**, which I introduced.

OGG

CO-AUTHOR OF SENATE BILL 81

On motion of Senator Truan and by unanimous consent, Senator Sarpalius will be shown as Co-author of **S.B. 81**.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Truan and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 1177 by Brooks, Caperton, Traeger, Doggett
Natural Resources
Relating to the creation, administration, powers, duties, operations, and financing of the Texas Low-Level Radioactive Waste Disposal Authority; providing penalties.

S.B. 1178 by Mengden **Human Resources**
 Relating to unannounced inspections of nursing and convalescent homes;
 providing a penalty.

S.B. 1179 by Mengden Jurisprudence
Relating to the admission of an unadjudicated offense for sentencing purposes.

S.B. 1180 by Truan Intergovernmental Relations
Relating to the Firemen's Relief and Retirement Fund in certain cities.

S.B. 1181 by Brooks, Williams Intergovernmental Relations
Relating to civil service status of certain peace officers assigned to departments
other than the police or fire departments.

S.B. 1182 by Brooks, Brown Intergovernmental Relations
Relating to certain contracts and contracting procedures of the Gulf Coast
Waste Disposal Authority.

S.B. 1183 by Brooks Economic Development
Relating to unfair discrimination in the issuance, renewal, cancellation, and
coverage of property and casualty insurance.

S.B. 1184 by Brooks	Human Resources
Relating to the prohibition of discrimination in certain transactions concerning employment, public accommodation, credit, and real property; providing penalties.	

S.B. 1185 by Richards Intergovernmental Relations
Relating to the imposition, administration, collection, and enforcement of a
local option county sales and use tax in certain counties.

S.B. 1186 by Glasgow Economic Development
Relating to duties of directors of a state bank; amending Article 9, Chapter IV,
Texas Banking Code of 1943, as amended (Article 342-409, Vernon's Texas
Civil Statutes), and declaring an emergency.

S.B. 1187 by Glasgow Economic Development
Relating to the oath and acceptance of office of directors of state banks;
amending Article 7, Chapter IV, Texas Banking Code of 1943, as amended
(Article 342-407, Vernon's Texas Civil Statutes), and declaring an emergency.

S.B. 1188 by Glasgow Economic Development
Relating to obligations which are not subject to the liability limit of a state bank; amending Article 2, Chapter VI, Texas Banking Code of 1943, as amended (Article 342-602, Vernon's Texas Civil Statutes), and declaring an emergency.

S.B. 1189 by Glasgow Economic Development
Relating to obligations which are not subject to the liability limit of a state bank; amending Article 7, Chapter V, Texas Banking Code of 1943, as amended (Article 342-507, Vernon's Texas Civil Statutes), and declaring an emergency.

S.B. 1190 by Harris Intergovernmental Relations
Relating to the coverage of civil service systems in certain counties.

S.B. 1191 by Glasgow Intergovernmental Relations
Relating to the creation of the County Court at Law of Cooke County.

S.B. 1192 by Mengden Finance
Relating to the application of the sales and use tax to geothermal energy devices and wood-burning stoves.

S.B. 1193 by Mengden Natural Resources
Relating to the lease of certain state-owned minerals by the owner of the surface land.

S.C.R. 83 by Doggett Administration
Granting Air Conditioning, Inc., permission to sue the State.

S.C.R. 84 by Doggett Administration
Granting Thomas Construction, Inc., and Air Conditioning, Inc., permission to sue the State.

S.C.R. 85 by Doggett Administration
Granting Air Conditioning, Inc., permission to sue the State.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

H.B. 258, To Committee on State Affairs.
H.B. 576, To Committee on Natural Resources.
H.B. 1413, To Committee on Natural Resources.
H.C.R. 56, To Committee on Natural Resources.
H.C.R. 61, To Committee on Human Resources.
H.C.R. 81, To Committee on Administration.

BILL AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill and resolution:

S.B. 211
S.C.R. 59

CONFERENCE COMMITTEE REPORT SENATE BILL 138

Senator Traeger submitted the following Conference Committee Report:

Austin, Texas
March 31, 1981

Honorable William P. Hobby
President of the Senate

Honorable Bill Clayton
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 138 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

TRAEGER
SHORT
KOTHMANN
WILLIAMS
URIBE
On the part of the Senate

BOCK
MADLA
PIERCE
VON DOHLEN
RAINS
On the part of the House

CONFERENCE COMMITTEE REPORT SENATE BILL 138

**A BILL TO BE ENTITLED
AN ACT**

relating to compensation of reserve deputy sheriffs and reserve deputy constables.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1(d), Chapter 506, Acts of the 62nd Legislature, Regular Session, 1971 (Article 6869.1, Vernon's Texas Civil Statutes), is amended to read as follows:

(d) The Commissioners Court may compensate reserve deputy sheriffs as provided by law for the compensation of deputy sheriffs and may compensate reserve deputy constables as provided by law for the compensation of deputy constables. The Commissioners Court may reimburse reserve deputy sheriffs and reserve deputy constables for reasonable and necessary expenses incurred in the performance of their official duties. [Such reserve deputy sheriffs and deputy constables shall serve without pay but the Commissioners Court may provide compensation for the purchase of uniforms and/or equipment used by such individuals.]

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was filed with the Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Subcommittee on Nominations:

Austin, Texas
April 2, 1981

TO THE SENATE OF THE SIXTY-SEVENTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A BRANCH PILOT FOR THE PORTS OF GALVESTON COUNTY, TEXAS:

For a four-year term effective February 1, 1981, to expire January 31, 1985:
CAPTAIN NATHAN R. BRANCH of Galveston County has completed his deputyship and found to be qualified to serve as branch pilot.

CAPTAIN JAMES R. BORUP of Galveston County has completed his deputyship and found to be qualified to serve as branch pilot.

TO BE A MEMBER OF THE STATE SECURITIES BOARD:

For a six-year term to expire January 16, 1987:

HAL M. BATEMAN of Lubbock, Lubbock County, is replacing J. C. Pace, Jr., whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF CORRECTIONS:

For a six-year term to expire February 15, 1987:

ROBERT D. GUNN of Wichita Falls, Wichita County, is replacing James Marvin Windham of Livingston, Polk County, whose term expired.

TO BE A MEMBER OF THE COMMISSION ON JAIL STANDARDS:

For a six-year term to expire on January 31, 1987:

HANES HANBY BRINDLEY, M.D., of Temple, Bell County, is being reappointed.

TO BE A MEMBER OF THE DISTRICT REVIEW COMMITTEE:

For a term to expire January 15, 1982:

JESSE DONALD CONE, M.D. of Odessa, Ector County, will be filling the unexpired term of Dr. William Hall Wade of El Paso, El Paso County, who resigned.

TO BE A MEMBER OF THE METRIC SYSTEM ADVISORY COUNCIL:

For a two-year term to expire August 29, 1983:

CHARLES E. FORESTER of Fentress, Caldwell County, is being reappointed.

TO BE A MEMBER OF THE TEXAS BOARD OF HEALTH:

For a six-year term to expire February 1, 1987:

JOHNNIE M. BENSON of Fort Worth, Tarrant County, is being reappointed. (representing nursing home administrator)

For a six-year term to expire February 1, 1987:

BEN M. DURR of Denton, Denton County, is being reappointed.
(representing hospital administrator)

Respectfully submitted,

William P. Clements, Jr.
Governor of Texas

SENATE CONCURRENT RESOLUTION 5 WITH HOUSE AMENDMENT

Senator Traeger called S.C.R. 5 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and the House amendment before the Senate.

Committee Amendment No. 1 - Blythe

SENATE CONCURRENT RESOLUTION

WHEREAS, Public employee retirement systems are complex programs that play an important role in our state's economy; and

WHEREAS, Pension assets within the State of Texas have reached the multibillion dollar mark and cash flow in pension funds has grown to hundreds of millions of dollars; and

WHEREAS, Pension benefits are an integral part of the compensation package which attracts qualified personnel to public employment; they also represent a significant financial obligation for taxpayers and a major source of income for retired employees; and

WHEREAS, Because of the importance of these benefits in the lives of so many Texas citizens and to the general well-being of the state's economy, it is vital that all pension systems be managed in accordance with sound actuarial principles; now, therefore, be it

RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That it is a policy of the Texas Legislature that no increase in benefits, including cost-of-living adjustments for retirees, be allowed to take effect in a public retirement system that is not meeting the requirements for paying off its obligations or funding its liabilities as required by specific statute or ordinance or as directed by sound actuarial principles; and, be it further

RESOLVED, That no local governments, through their governing bodies, allow any increase in benefits in any public retirement system that is not actuarially sound; and, be it further

RESOLVED, That a public retirement system be permitted to alter benefits when the changes do not produce or further impair an unsound actuarial condition. Prior to changing benefits, a public retirement system should determine the economic effects on the system of any proposed change by having an actuarial analysis prepared by an actuary who has at least five years of experience working with one or more public retirement systems and who is a fellow of the Society of Actuaries, a member of the American Academy of Actuaries, or an enrolled actuary under the federal Employees Retirement Income Security Act of 1974; and, be it further

RESOLVED, That this resolution be an expression of the sentiment of the Texas Legislature and not be considered an amendment of existing law or an enactment of new law; and, be it further

RESOLVED, That the State Pension Review Board forward copies of this resolution to local governments that operate public retirement systems.

The amendment was read.

Senator Traeger moved to concur in the House amendment.

The motion prevailed.

COMMITTEE SUBSTITUTE SENATE BILL 561 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 561, Relating to minimum standards for protective clothing and equipment for fire protection personnel.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 561 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 561** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed.

MOTION TO PLACE

COMMITTEE SUBSTITUTE SENATE BILL 784 ON SECOND READING

Senator Harris moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 784, Regulating interest rates on life insurance policy loans; authorizing and setting guidelines for life insurers to utilize in providing for periodic adjustment of policy loan interest rates; amending Chapter 3, Insurance Code, as amended, by adding Article 3.44c; and declaring an emergency.

The motion was lost by the following vote: Yeas 19, Nays 10. (Not receiving two-thirds vote of Members present)

Yeas: Andujar, Brooks, Brown, Caperton, Glasgow, Harris, Jones, Kothmann, Leedom, McKnight, Meier, Ogg, Parker, Sarpalius, Short, Snelson, Traeger, Travis, Williams.

Nays: Blake, Doggett, Farabee, Howard, Mauzy, Richards, Santiesteban, Truan, Uribe, Vale.

Absent-excused: Mengden, Wilson.

**MOTION TO PLACE
SENATE JOINT RESOLUTION 31 ON SECOND READING**

Senator Mauzy asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.J.R. 31, Proposing a constitutional amendment to authorize state judicial retirement for judges of statutory county courts and to grant jurisdiction of family law matters to those courts.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up **S.J.R. 31** for consideration at this time.

The motion was lost by the following vote: Yeas 13, Nays 16.

Yeas: Andujar, Caperton, Doggett, Kothmann, Mauzy, McKnight, Ogg, Parker, Santiesteban, Truan, Uribe, Vale, Williams.

Nays: Blake, Brooks, Brown, Farabee, Glasgow, Harris, Howard, Jones, Leedom, Meier, Richards, Sarpalius, Short, Snelson, Traeger, Travis.

Absent-excused: Mengden, Wilson.

SENATE BILL 827 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 827, Relating to continuation of the Board of Vocational Nurse Examiners and regulation of the practice of vocational nursing; providing penalties.

The bill was read second time and was passed to engrossment.

SENATE BILL 827 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 827** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 896 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 896, Relating to campus police personnel at North Texas State University and Texas Woman's University.

The bill was read second time.

Senator Glasgow offered the following amendment to the bill:

Amend **C.S.S.B. 896** by adding the following subsection (d) to Sec. 105.93 and Sec. 107.82.

“(d) The university shall have jurisdiction over its personnel and students upon property owned by the university to the extent that it may (1) assign and regulate parking spaces for its use and charge and collect appropriate fees for parking and improper parking; (2) prohibit parking where it deems necessary; (3) set and collect fees for and remove vehicles parked in violation of its rules and regulations or the laws of the State of Texas.”

The amendment was read and was adopted.

On motion of Senator Glasgow and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 896 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 896** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

SENATE BILL 1021 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1021, Relating to the creation of the criminal justice coordinating council.

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Amend **C.S.S.B. 1021** by striking all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. CREATION AND COMPOSITION OF COUNCIL.

- (a) The criminal justice coordinating council is established.
- (b) The membership of the criminal justice coordinating council shall be composed of the following persons:
 - (1) a representative designated by the governor;
 - (2) a representative designated by the lieutenant governor;
 - (3) a representative designated by the speaker of the House;
 - (4) a representative designated by the presiding judge of the Court of Criminal Appeals;
 - (5) a representative of the Chief Justice of the Supreme Court of Texas;
 - (6) the director of the department of corrections;
 - (7) the executive director of the adult probation commission;
 - (8) the executive director of the board of pardons and paroles;
 - (9) the executive director of the prosecutors coordinating council;
 - (10) the executive director of the judicial council;
 - (11) the executive director of the commission on jail standards;
 - (12) the director of the department of public safety;
 - (13) the chairman of the criminal justice division advisory board; and
 - (14) any other officer, executive director of a state agency or citizen designated by the governor.

- (c) The council shall act in an advisory capacity only.

SECTION 2. DUTIES OF COUNCIL. The Council is charged with ensuring to the maximum extent, coordination and cooperation among criminal justice agencies to promote a comprehensive and cohesive state criminal justice system. The council shall:

- (1) examine the specific role of each state agency involved in the criminal justice system to determine methods of coordination of services;
- (2) identify any instances of duplication of services that can be eliminated;
- (3) identify areas within the criminal justice system in which state and local funds can be used with greater cost-efficiency and cost-effectiveness;
- (4) identify systems for the compilation, storage, and dissemination of criminal justice data used by all the state's criminal justice agencies;
- (5) develop a coordinated plan for the state's criminal justice agencies to share records and other information obtained through (4) above;
- (6) identify improvements in interagency referral mechanisms;
- (7) conduct an indepth analysis of the duties and responsibilities of the courts, adult probation departments, board of pardons and paroles, and department of corrections and recommend systems and methods by which maximum coordination among these agencies can be achieved. Emphasis should be given to (a) identifying and coordinating use of community resources to assist in the rehabilitation of persons handled by these agencies; and (b) coordinating the dissemination of records of persons handled by these agencies.
- (8) perform other duties as may be requested by the Governor.

SECTION 3. TRANSACTION OF BUSINESS. A majority of the representatives on the council constitutes a quorum. The representative of the governor shall serve as chairman of the council. The council shall meet at least quarterly and at the call of the chairman. The council shall be staffed by the staff of the Criminal Justice Division to assist the council in the performance of its functions.

SECTION 4. SERVICE OF REPRESENTATIVES. The designated members of the council serve at the pleasure of the officer that designated the member. The duties of a member are in addition to those of any other employment or office of that member. A member of the council may not

receive compensation for the performance of duties as a member of the council, but is entitled to reimbursement for actual and necessary expenses incurred in performing those duties.

SECTION 5. INITIAL REPORT.

(a) The council shall submit its initial report to the governor, lieutenant governor, speaker of the House and the 68th regular session of the legislature.

(b) The council shall prepare other reports as requested by the Governor.

SECTION 6. This Act takes effect September 1, 1981.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

SENATE BILL 1021 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1021** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time.

Senator Doggett offered the following amendment to the bill:

Amend C.S.S.B. No 1021 by adding Section 6 as follows and renumbering remaining sections.

SECTION 6 This council is subject to the Texas Sunset Act and expires 12 years from its creation.

The amendment was read and was adopted by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed.

COMMITTEE SUBSTITUTE SENATE BILL 291 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 291, Relating to the regulation of certain animal shelters and the care of animals; providing a penalty.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 291 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 291 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Andujar, Brooks, Brown, Caperton, Doggett, Farabee, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Uribe, Vale, Williams.

Nays: Blake, Glasgow.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Blake and Glasgow asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 937 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 937, Relating to student fees for the support of student centers at component institutions of the Texas State University System, by amending Chapter 95, Texas Education Code, as amended, by adding Section 95.35, and by repealing Section 96.43 Texas Education Code.

The bill was read second time.

Senator Snelson offered the following committee amendment to the bill:

Amend **S.B. 937**, Section 1 (b), by striking the words, "student center fees" and substituting in lieu thereof the following: "the decision to levy a student center fee or the amount of the initial fee."

The committee amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 937 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 937** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 604 ON SECOND READING

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 604, Relating to continuation of the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids and regulation of the fitters and dispensers of hearing aid devices.

The bill was read second time.

Senator Uribe offered the following amendment to the bill:

Amend Section 6, committee substitute for Senate Bill 604 by striking “Section 3, Chapter 796, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4566-1.15(a)(7)) is repealed.” and substituting therefor the following:

“Subdivision 7, Subsection (a), Section 3, Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended by Section 3, Chapter 796, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4566-1.15(a)(7)) is repealed.”

The amendment was read and was adopted.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 604 ON THIRD READING

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 604** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolution:

H.C.R. 123**COMMITTEE SUBSTITUTE SENATE BILL 829 ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 829, Relating to regulation of carbon dioxide pipelines as common carriers.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Howard asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 829 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 829** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Andujar, Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Harris, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Uribe, Vale, Williams.

Nays: Howard.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 1. (Same as previous roll call)

**MOTION TO PLACE
SENATE BILL 512 ON SECOND READING**

Senator Williams asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 512, Relating to residency requirements for the employees of a city or town.

There was objection.

Senator Williams then moved to suspend the regular order of business and take up **S.B. 512** for consideration at this time.

The motion was lost by the following vote: Yeas 18, Nays 11. (Not receiving two-thirds vote of Members present)

Yeas: Andujar, Brooks, Farabee, Glasgow, Harris, Kothmann, Leedom, Mauzy, McKnight, Ogg, Parker, Richards, Santiesteban, Travis, Truan, Uribe, Vale, Williams.

Nays: Blake, Brown, Caperton, Doggett, Howard, Jones, Meier, Sarpalius, Short, Snelson, Traeger.

Absent-excused: Mengden, Wilson.

SENATE BILL 932 ON SECOND READING

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 932, Relating to the licensing of persons who sample grain for grading purposes; providing a penalty.

The bill was read second time.

Senator Sarpalius offered the following committee amendment to the bill:

Amend Senate Bill 932 by striking Section 1 and inserting the following language in its place:

SECTION 1. DEFINITIONS. In this Act:

(a) "Commissioner" means the commissioner of agriculture.

(b) "Grain" includes any grain, peas, or beans for which federal grain standards are established, including wheat, grain sorghum, corn, oats, barley, rye and soybeans.

The committee amendment was read and was adopted.

On motion of Senator Sarpalius and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 932 ON THIRD READING

Senator Sarpalius moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 932** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Mengden, Wilson.